



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

November 23, 2015

**BY ECF**

Honorable Paul G. Gardephe  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: United States v. Kaleil Isaza Tuzman,  
S1 15 Cr. 536 (PGG)**

Dear Judge Gardephe:

The Government respectfully submits this letter to update the Court about the circumstances of the confinement of Kaleil Isaza Tuzman ("the defendant") in Colombia. In accordance with the Court's order, the Government intends to submit affidavits of relevant U.S. officials by November 25, 2015. However, the Government submits this letter in the interest of keeping the Court apprised of recent developments.

Following the conference held on November 20, 2015, representatives of the U.S. Embassy in Colombia communicated the Court's concerns to the Office of the Attorney General of Colombia.<sup>1</sup> After learning of the Court's concerns, Attorney General Eduardo Montealegre Lynett ordered that the defendant be transferred to the Attorney General's detention facility (the "AG Facility"), which is a highly secure facility located in central Bogota, that has at times been used to house high-profile defendants, including former Colombian officials charged with corruption.<sup>2</sup> The defendant was transferred to the AG Facility on November 21, 2015.

Representatives of the U.S. Embassy in Bogota inspected the AG Facility today. Embassy officials observed that the AG Facility is housed within the same complex that houses the main offices of the Attorney General. The AG Facility has four wings and is designed to accommodate a total of approximately 14 inmates. Embassy staff inspected the wing that is being used to house the defendant and observed that the wing contained a total of three, single-occupancy cells. Embassy personnel observed that the defendant's cell contains a bunk with a mattress and down comforter. Only one of the two other cells in the defendant's wing is occupied, and is currently being used to house a former Deputy Inspector General of Colombia.

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<sup>1</sup> Unlike the Minister of Justice, who oversees La Picota, the Attorney General serves within the judicial branch of Colombia's Government.

<sup>2</sup> For instance, the AG Facility has been used to house inmates including former head of the Department of Administrative Security (DAS) Maria del Pilar Hurtado, and former Secretary to the President, Bernardo Moreno.

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The defendant has access to a bathroom that is shared by the two other cells in his wing. Embassy staff also learned that inmates have access to a common room with a television and are allowed to spend time in an outdoor patio for at least one hour a day. Inmates also are permitted routine medical visits and can arrange for visits from private physicians. In addition, inmates are allowed attorney visits during the week from 8 a.m. to 12 p.m. and 2 p.m. to 5 p.m. Inmates are provided three meals a day and also are given the option of ordering delivery of meals at their own expense from a list of pre-approved restaurants. Embassy staff understand that the Attorney General intends to house the defendant at the AG Facility until his extradition to the United States.

Respectfully submitted,

PREET BHARARA

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cc: Defense Counsel (by e-mail and ECF)